

Johnson+Johnson

OT16 Rec'd PCT/PTO 27 JUN 2003

#14

ONE JOHNSON & JOHNSON PLAZA
NEW BRUNSWICK, N.J. 08933-

Laura Donnelly
Senior Patent Counsel
Legal Dept. WH-6123
(732) 524-1729 (direct)
(732) 524-2143 (facsimile)
Ldonnel2@corus.jnj.com

June 27, 2003

VIA EXPRESS MAIL

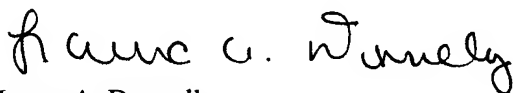
Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Mail Stop PCT
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Request for Reconsideration of Decision on Petition and
Renewed Petition Under 37 C.F.R. 1.137(b) for
Application Ser. No.: 10/019,337
International Filing Date: March 26, 2000
Title: NEUTROTROPHIC FACTOR RECEPTOR
Inventor(s): MASURE et al.
Our Ref.: JAB-1512

Dear Mr. Putonen,

Enclosed is a Request for Reconsideration of Decision on Petition and a Renewed Petition. I believe that all of the requirements for the Petition for Revival of Patent Application Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) have now been met. Should you have any questions or require additional information, please contact me at the telephone number listed above.

Sincerely,



Laura A. Donnelly
Registration No. 38,435

Enclosures

RECEIVED

09 JUL 2003

Legal Staff
International Division



JANSSEN
PHARMACEUTICA

LABORATOIRES JANSSEN

PROXY

Laura Anne Donnelly and Linda S. Evans are hereby granted the power to appoint, retain and dismiss patent agents or patent attorneys to represent Janssen Pharmaceutica N.V. and to direct or instruct such patent agents or patent attorneys to file, register and prosecute applications for patents, inventors certificates, and the like in the name of Janssen Pharmaceutica N.V. in patent offices and before multinational patent authorities, as well as, the power to direct such agents and attorneys to file papers for patent term extensions, renewals, correction and reissue of said patents in the name of and for the benefit of Janssen Pharmaceutica N.V.

3 Dirk Collier
Board Member

7 René Hex
Board Member

Date : June 4, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : MASURE et al.
Serial No. : 10/019,337 Art Unit: Unassigned
Filed : I.A. March 26, 2000 Examiner: Unassigned
For : NEUROTROPHIC FACTOR RECEPTOR

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Commissioner for Patents, Washington, D.C. 20231 on

0127103

(Date)

Laura A. Donnelly

Name of applicant, assignee, or Registered Representative

Laura A. Donnelly

(Signature)

0127103

(Date of Signature)

Commissioner for Patents
Washington, D.C. 20231

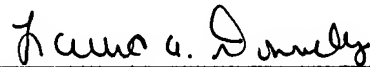
REQUEST FOR RECONSIDERATION OF DECISION ON PETITION

Dear Sir:

In response to the Decision on Petition, dated May 7, 2003, and its accompanying CRF Problem Report, enclosed herewith is a computer readable Sequence Listing and the required Verification Statement Under 37 C.F.R. 1.821(f). As indicated in the CRF Problem Report (copy attached hereto), although Applicants originally provided a computer readable Sequence Listing, the copy provided was "Damaged" and therefore unreadable. Applicants respectfully

submit that all of the requirements for the Petition for Revival of Patent Application Abandoned Unintentionally Under 37 C.F.R. § 1.137(b), originally submitted on January 21, 2003, have now been met. Namely, as acknowledged in the Decision on Petition, the Petition fee has been satisfied; and the requirement that Applicants and/or Applicants' representative attest that the delay was "unintentional" has been satisfied. A Renewed Petition Under 37 C.F.R. § 1.137(b) is attached hereto in response to the Office's request. Reconsideration and withdrawal of the Decision on Petition are respectfully requested.

Respectfully Submitted,



Laura A. Donnelly
Registration No. 38,435

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1729 (direct)
(732) 524-2134 (facsimile)

Dated: 6/27/03

Enclosures:

Computer Readable Sequence Listing
Verification Statement Under 37 C.F.R. 1.821(f)
CRF Problem Report (copy)
Renewed Petition Under 37 C.F.R. § 1.137(b)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MASURE et al.

Serial No.: 10/019,337

Art Unit: Unassigned

Filed: I.A. March 26, 2000

Examiner: Unassigned

For: NEUROTROPHIC FACTOR RECEPTOR

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Commissioner for Patents, Washington, D.C. 20231 on

6127103

(Date)

Laura A. Donnelly

Name of applicant, assignee, or Registered Representative

Laura A. Donnelly

(Signature)

6127103

(Date of Signature)

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

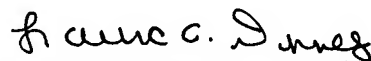
RENEWED PETITION UNDER 37 C.F.R. 1.137(b)

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent Office on October 6, 2002. Applicants submitted a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) on January 31, 2003 ("January 31, 2003 Petition"). Along with the January

31, 2003 Petition, Applicants submitted (1) the Petition fee; (2) a reply; and (3) a statement that the entire delay was unintentional. A Decision on Petition ("Decision") was mailed to Applicants on May 7, 2003. The Decision indicated that the Petition fee and the requirement that Applicants and/or Applicants' representative attest that the delay was "unintentional" had been satisfied. The Decision indicated however that the reply was incomplete because although Applicants' reply included a computer readable copy of the Sequence Listing, the copy provided was "Damaged" and therefore unreadable (see accompanying CRF Problem Report). Applicants submit a Request for Reconsideration of Decision of Petition herewith to provide a computer readable copy of the Sequence Listing. Applicants thus renew the Petition Under 37 C.F.R. 1.137(b) to revive this unintentionally abandoned application. Should the Office have any questions or require additional information, please contact Applicants' representative at the telephone number listed below.

Respectfully Submitted,



Laura A. Donnelly
Registration No. 38,435

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1729 (direct)
(732) 524-2134 (facsimile)
Dated: 6/27/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MASURE et al.

For: NEUROTROPHIC FACTOR RECEPTOR

Filed: I.A. March 26, 2000

Serial No: 10/019,337

VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I hereby verify that the computer readable diskette and paper copy enclosed herewith includes the same information as provided in the Sequence Listing of the subject application, and that this statement is made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully Submitted,



Laura A. Donnelly
Registration No. 38,435

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1729 (direct)
(732) 524-2134 (facsimile)

Dated: 6/27/03

SEQUENCE LISTING

<110> Masure, Stefan
Cik, Miroslav
Hoefnagel, Evert

<120> Neurotrophic Factor Receptor

<130> 53202/001

<140> PCT/EP00/04918

<141> 2000-05-26

<150> GB 9915200.1

<151> 1999-05-29

<160> 31

<170> PatentIn Ver. 2.0

<210> 1

<211> 792

<212> DNA

<213> Mus musculus

<220>

<221> misc_feature

<222> (583)..(583)

<223> n = any amino acid

<220>

<221> misc_feature

<222> (611)..(611)

<223> n = any amino acid

<220>

<221> misc_feature

<222> (637)..(637)

<223> n = any amino acid

<220>

<221> misc_feature

<222> (664)..(664)

<223> n = any amino acid

<220>

<221> misc_feature

<222> (684)..(684)

<223> n = any amino acid

<220>

<221> misc_feature

<222> (689)..(689)

<223> n = any amino acid

<220>

<221> misc_feature

<222> (728)..(728)

<223> n = any amino acid

<220>

<221> misc_feature

<222> (734)..(734)

<223> n = any amino acid

<220>

<221> misc_feature

<222> (742)..(742)

<223> n = any amino acid

<400> 1

```
gtgcgcgcgag cgccggcgcc agactttcgc gcccgccctgc gcgttctccg gcccggggtt 60
gggtgccgccc tcttgccctgg agcccctgga gcgctgcgag cgcagccgcc tgtgccggtg 120
cgtgcgtgca gggcgggctg ggccgctcac ccgcgtccgg gcgcgcgcag gcccgtctc 180
cttgccctcc aggcctcatg cgctcccgcg cccggctccc gcgaccgtg cccggaggag 240
gggggcccgc gttgtctgca cgtctacgca ggcctcatgg gcaccgtggt caccaccaac 300
tacctggaca acgtgagcgc gcgcgttgcg ccctgggtgag gctgtgcggc cagtggaaac 360
cggcgcggaag aatgcgaagc ctcccgcaag ctctttacaa ggaacccctg cttgggtgag 420
ggggcctgga ggtcccgggg aaccacggat gtctgtggcc caatccaagc tgccctggcc 480
gtgggtctta tttacgtcgc atcatgtttg gtgtgggcca tggacaatgt gcacatgcca 540
tggtacgtgg gtggaagtca agcgttaaaa cgtgtccaat ggnctggaag ttggccttcc 600
ttttgacact natggggtgg gcctttcttc atggtgngcc caacttacct ttggttggtc 660
ttgncctctg gtgggaatgg cttnaattnc agaattttgg gggctctgtt tgaagcctgg 720
cttttgcnc tanaaacttg anaagttaaa ctcttattaa tcccaatggg gttcacctgt 780
aaagggagag gg 792
```

<210> 2

<211> 497

<212> DNA

<213> Mus musculus

<400> 2

```
gtggaaccgg cgcaagaat gcgaaccttc cgcaagctct ttacaaggaa cccctgcttg 60
gatggtgcc tacaagcctt tgacagcttg cagccatcag ttctgcagga ccagactgct 120
gggtgctggt tcccgcgggc aaggcacgag tggcctgaga agagctggag gcagaaacag 180
tccttggttt gtccaaacgc ccaaggtgtc ctggctgtat gcaactcact ccctggctct 240
ccaggccctg ctctgattag gaacatgaac cgtggacgac acagctgact gccatgtctc 300
ccgatgactg ctactgagc tgaaactccc ttgccctcag gtctgctgcc ctttgaggc 360
ctggaccctt gtgtggctgt cctctggatt gggggctgga ggctagggc tgactgaaaa 420
gcctgtgttc ccgtcagtag gcactctgtc cattttcttc cccatcctag agctgagcac 480
ccatagatga ggccctca 497
```

<210> 3

<211> 901

<212> DNA

<213> Rattus rattus

<400> 3

```
ggcaccgtgg tcacccccaa ctacctggac aacgtgagcg cgcgcgttgc gccctgggtg 60
ggctgtgagg ccagcggaaa ccggcgcgaa gagtgcgaag ccttcgcgaa gctttttaca 120
aggaaccctt gcttggatgg tgccatacaa gcctttgaca gctcgcaacc atcagttctg 180
caggaccagt ggaaccccta ccagaatgct ggggtgctgtt tcctgtgggt gtccctgatg 240
tccatactca ctgccctggc tctccaggcc ctgctctaata taggaagggt aaccatggac 300
aacacagctg actgccatgt ctctggatta tgctcactga actgaaactc ccttgccctc 360
aggctctgct tcctttgcag ttctggaccc ctgcatggct gtctcctgga ctgggagctg 420
gaggttaggg cccgactggt aggttcccct gttagtaggc atctcgctg ttttcttcac 480
catccttag atgatggtag atgatattta gcacctgtag acagggcctc attgggcccc 540
ttgggcttac agagcagaac agagactagc ctccctgctc tagaattggg tagtgctctt 600
ttccaagaag acatggcact aaggcgatca tatgaacaga ctgacagact gcagtctaaa 660
```

tacccatgcc	ccagggccag	cgctgacctt	gcttgtcacc	tatgacatgg	cgctgtgtag	720
ggattaaaga	gagagattca	ggctccctcct	gctggacatc	ccactggcct	cccagactct	780
cccagcacct	gcagtggcac	agcagctcaa	taaacccatg	tgacttgaa	aaaaaaaaaa	840
aaaaaaaaaa	aaaaaaaaaa	aaaaaaaaaa	aaaaaaaaaa	aaaaagaaaa	aaaaaaaaaa	900
a						901

<210> 4

<211> 872

<212> DNA

<213> Rattus rattus

<400> 4

gtatggggag	aggatgtgga	gttggcagtt	tctcatcggt	cccttctgta	tttacccttc	60
tcaggcaggg	caaggtggag	gcctgagtg	cctgagaaga	gatggaggca	gaaacgggtc	120
ccgtttttgtc	ccaaggtgtc	ctcgatgtcc	atactcactg	ccctggctct	ccaggccctg	180
ctctaattag	gaaggtgaac	catggacaac	acagctgact	gccatgtctc	tggtattatgc	240
tcactgaact	gaaactccct	tgccctcagg	tctgctgtcc	tttgcaagtc	tggaaccctg	300
catggctgtc	tcctggactg	ggagctggag	gctaggggcc	gactgttagg	ttcccctgtt	360
agtaggcac	tcgctgttt	tcttcacat	ccttgagatg	atggtagatg	atatttagca	420
cctgtagaca	gggcctcatt	gggccccttg	ggcttacaga	gcagaacaga	gactagcctc	480
ctgctcttag	aattgggtag	tggtcttttc	caagaagaca	tggaactaag	gcgatcatat	540
gaacagactg	acagactgca	gtctaaatac	ccatgcccc	gggccagcgc	tgacctgtct	600
tgctacctat	gacatggcgc	tgtgtaggga	ttaaagagag	agattcaggt	ccctcctgct	660
ggacatccca	ctggcctccc	agactctccc	agcacctgca	gtggcacagc	agctcaataa	720
acccatgtgc	actggaaaaa	aaaaaaaaaa	aaaaaaaaaa	aaaaaaaaaa	aaaaaaaaaa	780
aaaaaaaaaa	aaaaaaaaaa	aaaaaaaaaa	aaaaaaaaaa	aaaaaaaaaa	aaaaaaaaaa	840
aaaaaaaaaa	aaaaagaaa	aaaaaaaaaa	aa			872

<210> 5

<211> 2522

<212> DNA

<213> Rattus rattus

<400> 5

ctggtaagct	ttaaggcaga	ggagacctaa	gagctgagac	atgctatgtt	gagtggagcg	60
tatttacggg	tgctgaatga	gaggccaggg	caggcagttt	tatggagtct	tggtatgccg	120
agaggtaagg	aggtgggaaa	ggaagtacta	taaacctgaa	tttgggtgact	tggttggtatt	180
tgcatatgtc	cagtgccaa	ttcagacata	gctgccgggt	ttactgatgc	tactctccca	240
aggtcaggca	ttctattttc	ccctgaatgg	cttttcatct	gtgacttatc	tacatcttca	300
ctgaaactac	tggtaaacgt	ccaggtctgt	ctcagggcga	agtcctatgg	tctgccatta	360
agcctcagtg	tcctgtcagg	tgaagctggg	gaggatggaa	ggggtccagt	agacgctctg	420
tgatgcattg	gccagttctg	gagatggtgg	tggaaggctga	acctgagctt	ctggggaacc	480
tcgagtagct	gccctcattc	acgacctggg	tggaatatccc	taggacctgc	ccatgcccg	540
ttcctcagga	aaaacgggtc	acgcctatgg	gccacactct	ctccccttgg	gtttgggtat	600
ctgccccag	ccccgcgcaa	attccgggg	gtggaatgtg	gagaaccaag	cacagagggc	660
tgacagcctg	cctccctca	ccagggctcag	cgagctccac	tgaggggaat	cgctgcgtgg	720
aagcagccga	ggcgtgcaca	gcagacgagc	agtgcagca	gctgcgctcc	gagtacgtgg	780
gcgaatgcct	gggcccggcg	ggctggcggg	gaccgggag	ctgcgtgcgc	tcccgtgcc	840
gccgtgccct	gcgcgccttc	ttcgcccgcg	ggcctccggc	gctcacgcac	gcgtgctct	900
tctgcggatg	cgaaggcccc	gcgtgcgcgc	agcgcggcg	ccagacattc	gcgcgcgcct	960
gcgcgttctc	cggccccag	ctggcgccac	cttctgcct	gaagcccttg	gaccgctgcg	1020
agcgaagccg	ccggtgccgg	tgctgcggg	gcgggctggg	ccgctcaccg	gcgtccgggc	1080
gcgcgcaggc	cccgtctctt	tgcttccag	gcctcatg	ctcccgcgc	cggtcccg	1140
gacggctgtc	cggaggagg	gggcccgcg	tgtctgcgc	cctacgcagg	ccttgtaggt	1200
acgtctggcg	gcctctggcg	ggcgggcg	cggaggcaga	ttccgggggc	ccgtcacagg	1260
tcctgggggt	ccctgcaggc	accgtggta	cccccaacta	cctggacaac	gtgagcgcg	1320
gcgttgcgcc	ctggtgcggc	tgtgaggcca	gcggaaaccg	gcgcgaagag	tgcaagcct	1380
tcgcgaagct	ttttacaagg	aacctctgct	tggttgagg	ggctggagag	cccgggcaac	1440
caaggacgtc	tatggcccag	tctaggctgc	ctggcctgtg	gggacctta	aaatgttttc	1500
gtcgtgtcgt	atgtggtgtg	ggtgatggac	agtgtgcacg	tgccatggtg	catgggtgga	1560
agtcagagga	caacttgtca	gtctctttct	accagtgagg	tcccgggat	agcactgggc	1620
tcacagttt	tgggtggcaag	tgcttggc	ctgtgagcca	tcctgtggc	tgatgtgagc	1680
acatttttga	tggaaagaaa	ctgaggtttc	cagagaccag	atagccgatc	actagagaat	1740

tcgagagatg	tcaagaatct	cttagggcta	gaaaggatga	gttaaaacat	gtccaatgac	1800
ctggagttgg	ccaaggctcc	ctttggcact	actgaggtct	tttccctccat	gtgttcccaa	1860
tttaacgctg	ctgttcttgc	ctcgggatga	aatagcgttg	ttccagattt	ctggggggccc	1920
ggtttgaagc	ctgtctctgc	cacttcgtag	ccgagagtta	aactcttatt	aatccctaatt	1980
gtgttcacct	gtaagggcgg	ggtgtgcact	tgtcaacctc	actcttagca	cagtgcacct	2040
ccatctcagg	ccgtgccttg	cagattccag	ggggtgtctc	attttgtctc	aagggagtgg	2100
agctgtttct	agggtttcct	ggccaaacct	tctctggatc	tctccactcc	atagatggtg	2160
ccatacaagc	ctttgacagc	tcgcaaccat	cagttctgca	ggaccagtgg	aacccctacc	2220
agaatgctgg	gtgctgtttc	ctgtgggtag	gtatggggag	aggatgtgga	gttggcagtt	2280
tctcatcgct	cccttctgta	tttacccttc	tcaggcaggc	caaggtggag	gcctgagtgg	2340
cctgagaaga	gatggaggca	gaaacggtcc	ccgttttgtc	ccaaggtgtc	ctcgatgtcc	2400
atactcactg	ccctggctct	ccaggccctg	ctctaattag	gaaggtgaac	catggacaac	2460
acagctgact	gccatgtctc	tggattatgc	tcactgaact	gaaactccct	tgccctcagg	2520
tc						2522

<210> 6

<211> 953

<212> DNA

<213> Rattus rattus

<400> 6

ctggtaagct	ttaaggcaga	ggagacctaa	gagctgagac	atgctatggt	gagtggagcg	60
tattttacggg	tgctgaatga	gaggccaggc	caggcagttt	tatggagtct	tggatgccag	120
agagggtcag	cgagctccac	tgaggggaat	cgctgcgtgg	aagcagccga	ggcgtgcaca	180
gcagacgagc	agtgccagca	gctgcgtccc	gagtacgtgg	cgcaatgcct	gggccgggcg	240
ggctggcggg	gacccgggag	ctgcgtgcgc	tcccgtgcc	gccgtgccct	gcgccgcttc	300
ttcgcccgcg	ggcctccggc	gctcacgcac	gcgtgctct	tctgcggatg	cgaaggcccc	360
gcgtgcgcgg	agcgccggcg	ccagacattc	gcgccgcct	gcgcgttctc	cggcccccag	420
ctggcgccac	cttccctgcct	gaagcccttg	gaccgctgcg	agcgaagccg	ccggtgccgg	480
ccccgtctct	ttgccttcca	ggcctcatgc	gctcccgcgc	ccggctcccc	cgacggctgt	540
ccggaggagg	ggggcccgcg	gtgtctgcgc	gcctacgcag	gccttgtagg	caccgtggtc	600
acccccaaact	acctggacaa	cgtgagcgcg	cgcggtgcgc	cctgggtgcgg	ctgtgaggcc	660
agcggaaacc	ggcgcggaaga	gtgcgaagcc	ttccgcaagc	tttttacaag	gaacccttgc	720
ttggatggtg	ccatacaagc	ctttgacagc	tcgcaaccat	cagttctgca	ggaccagtgg	780
aacccctacc	agaatgctgg	gtgctgtttc	ctgtgggtgt	cctcgatgtc	catactcact	840
gccttggtct	tccaggccct	gctctaatta	ggaaggtgaa	ccatggacaa	cacagctgac	900
tgccatgtct	ctggattatg	ctcactgaac	tgaaactccc	ttgccctcag	gtc	953

<210> 7

<211> 1008

<212> DNA

<213> Rattus rattus

<400> 7

ctggtaagct	ttaaggcaga	ggagacctaa	gagctgagac	atgctatggt	gagtggagcg	60
tattttacggg	tgctgaatga	gaggccaggc	caggcagttt	tatggagtct	tggatgccag	120
agagggtcag	cgagctccac	tgaggggaat	cgctgcgtgg	aagcagccga	ggcgtgcaca	180
gcagacgagc	agtgccagca	gctgcgtccc	gagtacgtgg	cgcaatgcct	gggccgggcg	240
ggctggcggg	gacccgggag	ctgcgtgcgc	tcccgtgcc	gccgtgccct	gcgccgcttc	300
ttcgcccgcg	ggcctccggc	gctcacgcac	gcgtgctct	tctgcggatg	cgaaggcccc	360
gcgtgcgcgg	agcgccggcg	ccagacattc	gcgccgcct	gcgcgttctc	cggcccccag	420
ctggcgccac	cttccctgcct	gaagcccttg	gaccgctgcg	agcgaagccg	ccggtgccgg	480
ccccgtctct	ttgccttcca	ggcctcatgc	gctcccgcgc	ccggctcccc	cgacggctgt	540
ccggaggagg	ggggcccgcg	gtgtctgcgc	gcctacgcag	gccttgtagg	caccgtggtc	600
acccccaaact	acctggacaa	cgtgagcgcg	cgcggtgcgc	cctgggtgcgg	ctgtgaggcc	660
agcggaaacc	ggcgcggaaga	gtgcgaagcc	ttccgcaagc	tttttacaag	gaacccttgc	720
ttggatggtg	ccatacaagc	ctttgacagc	tcgcaaccat	cagttctgca	ggaccagtgg	780
aacccctacc	agaatgctgg	gcaggccaag	gtggaggcct	gagtggcctg	agaagagatg	840
gaggcagaaa	cgggtccccgt	tttgtcccaa	ggtgtcctcg	atgtccatac	tactgcct	900
ggctctccag	gccctgctct	aattaggaag	gtgaaccatg	gacaacacag	ctgactgcc	960
tgctctctgga	tatgtctcac	tgaactgaaa	ctcccttgcc	ctcaggtc		1008

<210> 8

<211> 273
<212> PRT
<213> Rattus rattus

<400> 8

Met Leu Ser Gly Ala Tyr Leu Arg Val Leu Asn Glu Arg Pro Gly Gln
1 5 10 15
Ala Val Leu Trp Ser Leu Gly Cys Gln Arg Gly Ser Ala Ser Ser Thr
20 25 30
Glu Gly Asn Arg Cys Val Glu Ala Ala Glu Ala Cys Thr Ala Asp Glu
35 40 45
Gln Cys Gln Gln Leu Arg Ser Glu Tyr Val Ala Gln Cys Leu Gly Arg
50 55 60
Ala Gly Trp Arg Gly Pro Gly Ser Cys Val Arg Ser Arg Cys Arg Arg
65 70 75 80
Ala Leu Arg Arg Phe Phe Ala Arg Gly Pro Pro Ala Leu Thr His Ala
85 90 95
Leu Leu Phe Cys Gly Cys Glu Gly Pro Ala Cys Ala Glu Arg Arg Arg
100 105 110
Gln Thr Phe Ala Pro Ala Cys Ala Phe Ser Gly Pro Gln Leu Ala Pro
115 120 125
Pro Ser Cys Leu Lys Pro Leu Asp Arg Cys Glu Arg Ser Arg Arg Cys
130 135 140
Arg Pro Arg Leu Phe Ala Phe Gln Ala Ser Cys Ala Pro Ala Pro Gly
145 150 155 160
Ser Arg Asp Gly Cys Pro Glu Glu Gly Gly Pro Arg Cys Leu Arg Ala
165 170 175
Tyr Ala Gly Leu Val Gly Thr Val Val Thr Pro Asn Tyr Leu Asp Asn
180 185 190
Val Ser Ala Arg Val Ala Pro Trp Cys Gly Cys Glu Ala Ser Gly Asn
195 200 205
Arg Arg Glu Glu Cys Glu Ala Phe Arg Lys Leu Phe Thr Arg Asn Pro
210 215 220
Cys Leu Asp Gly Ala Ile Gln Ala Phe Asp Ser Ser Gln Pro Ser Val
225 230 235 240
Leu Gln Asp Gln Trp Asn Pro Tyr Gln Asn Ala Gly Cys Cys Phe Leu
245 250 255
Trp Val Ser Ser Met Ser Ile Leu Thr Ala Leu Ala Leu Gln Ala Leu
260 265 270
Leu

<210> 9
<211> 258
<212> PRT

<213> Rattus rattus

<400> 9

Met Leu Ser Gly Ala Tyr Leu Arg Val Leu Asn Glu Arg Pro Gly Gln
1 5 10 15

Ala Val Leu Trp Ser Leu Gly Cys Gln Arg Gly Ser Ala Ser Ser Thr
20 25 30

Glu Gly Asn Arg Cys Val Glu Ala Ala Glu Ala Cys Thr Ala Asp Glu
35 40 45

Gln Cys Gln Gln Leu Arg Ser Glu Tyr Val Ala Gln Cys Leu Gly Arg
50 55 60

Ala Gly Trp Arg Gly Pro Gly Ser Cys Val Arg Ser Arg Cys Arg Arg
65 70 75 80

Ala Leu Arg Arg Phe Phe Ala Arg Gly Pro Pro Ala Leu Thr His Ala
85 90 95

Leu Leu Phe Cys Gly Cys Glu Gly Pro Ala Cys Ala Glu Arg Arg Arg
100 105 110

Gln Thr Phe Ala Pro Ala Cys Ala Phe Ser Gly Pro Gln Leu Ala Pro
115 120 125

Pro Ser Cys Leu Lys Pro Leu Asp Arg Cys Glu Arg Ser Arg Arg Cys
130 135 140

Arg Pro Arg Leu Phe Ala Phe Gln Ala Ser Cys Ala Pro Ala Pro Gly
145 150 155 160

Ser Arg Asp Gly Cys Pro Glu Glu Gly Gly Pro Arg Cys Leu Arg Ala
165 170 175

Tyr Ala Gly Leu Val Gly Thr Val Val Thr Pro Asn Tyr Leu Asp Asn
180 185 190

Val Ser Ala Arg Val Ala Pro Trp Cys Gly Cys Glu Ala Ser Gly Asn
195 200 205

Arg Arg Glu Glu Cys Glu Ala Phe Arg Lys Leu Phe Thr Arg Asn Pro
210 215 220

Cys Leu Asp Gly Ala Ile Gln Ala Phe Asp Ser Ser Gln Pro Ser Val
225 230 235 240

Leu Gln Asp Gln Trp Asn Pro Tyr Gln Asn Ala Gly Gln Ala Lys Val
245 250 255

Glu Ala

<210> 10

<211> 21

<212> DNA

<213> Artificial Sequence

<220>

<223> Description of Artificial Sequence:PCT primer

<400> 10

cgcggttgct gcgcgtctac g	21
<210> 11	
<211> 20	
<212> DNA	
<213> Artificial Sequence	
<220>	
<223> Description of Artificial Sequence:PCR primer	
<400> 11	
cggcgcgaag aatgcgaagc	20
<210> 12	
<211> 23	
<212> DNA	
<213> Artificial Sequence	
<220>	
<223> Description of Artificial Sequence:PCR primer	
<400> 12	
cacccacgta ccatggcatg tgc	23
<210> 13	
<211> 22	
<212> DNA	
<213> Artificial Sequence	
<220>	
<223> Description of Artificial Sequence:PCR primer	
<400> 13	
gtggtcaccc ccaactacct gg	22
<210> 14	
<211> 24	
<212> DNA	
<213> Artificial Sequence	
<220>	
<223> Description of Artificial Sequence:PCR primer	
<400> 14	
gccttcgcga agcttttttac aagg	24
<210> 15	
<211> 22	
<212> DNA	
<213> Artificial Sequence	
<220>	
<223> Description of Artificial Sequence:PCR primer	
<400> 15	
gctcttctgc ggatgcgaag gc	22

<210> 16
 <211> 24
 <212> DNA
 <213> Artificial Sequence

 <220>
 <223> Description of Artificial Sequence:PCR primer

 <400> 16
 agctgccggg ttactgatg ctac 24

 <210> 17
 <211> 24
 <212> DNA
 <213> Artificial Sequence

 <220>
 <223> Description of Artificial Sequence:PCR primer

 <400> 17
 gatgctactc tccaaggctc aggc 24

 <210> 18
 <211> 27
 <212> DNA
 <213> Artificial Sequence

 <220>
 <223> Description of Artificial Sequence:PCR primer

 <400> 18
 ctggtgaagct ttaaggcaga ggagacc 27

 <210> 19
 <211> 23
 <212> DNA
 <213> Artificial Sequence

 <220>
 <223> Description of Artificial Sequence:PCR primer

 <400> 19
 catggcagtc agctgtgttg tcc 23

 <210> 20
 <211> 24
 <212> DNA
 <213> Artificial Sequence

 <220>
 <223> Description of Artificial Sequence:PCR primer

 <400> 20
 cagctgtgtt gtccatggtt cacc 24

 <210> 21
 <211> 30
 <212> DNA

<213> Artificial Sequence

<220>

<223> Description of Artificial Sequence:PCR primer

<400> 21
 tgggtgcgag ctgtcaaagg cttgtatggc 30

<210> 22
 <211> 30
 <212> DNA
 <213> Artificial Sequence

<220>

<223> Description of Artificial Sequence:PCR primer

<400> 22
 ggggttcctt gtaaaaagct tgcggaaggc 30

<210> 23
 <211> 25
 <212> DNA
 <213> Artificial Sequence

<220>

<223> Description of Artificial Sequence:PCR primer

<400> 23
 ggtccaaggg cttcaggcag gaagg 25

<210> 24
 <211> 22
 <212> DNA
 <213> Artificial Sequence

<220>

<223> Description of Artificial Sequence:PCR primer

<400> 24
 gccttcgcat ccgcagaaga gc 22

<210> 25
 <211> 23
 <212> DNA
 <213> Artificial Sequence

<220>

<223> Description of Artificial Sequence:PCR primer

<400> 25
 ccaggtagtt gggggtgacc acg 23

<210> 26
 <211> 20
 <212> DNA
 <213> Artificial Sequence

<220>

<223> Description of Artificial Sequence:PCR primer

<400> 26
cccaggcatt gcgccacgta 20

<210> 27
<211> 22
<212> DNA
<213> Artificial Sequence

<220>
<223> Description of Artificial Sequence:PCR primer

<400> 27
cattgcgcc cgtactcgga gc 22

<210> 28
<211> 23
<212> DNA
<213> Artificial Sequence

<220>
<223> Description of Artificial Sequence:PCR primer

<400> 28
gacctgaggg caagggagtt tca 23

<210> 29
<211> 25
<212> DNA
<213> Artificial Sequence

<220>
<223> Description of Artificial Sequence:PCR primer

<400> 29
gcaagggagt ttcagttcag tgagc 25

<210> 30
<211> 27
<212> DNA
<213> Artificial Sequence

<220>
<223> Description of Artificial Sequence:PCR primer

<400> 30
ccatccta at acgactcact atagggc 27

<210> 31
<211> 23
<212> DNA
<213> Artificial Sequence

<220>
<223> Description of Artificial Sequence:PCR primer

<400> 31

actcactata gggctcgagc ggc



07 MAY 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE
ALEXANDRIA, VA 22304-4100

Myra H. McCormack
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003

RECEIVED

MAY 13 2003

In re Application of
MASURE, et al.

U.S. Application No.: 10/019,337

PCT No.: PCT/EP00/04918

Int. Filing Date: 26 March 2000

Priority Date: 29 June 1999

Attorney Docket No.: JAB-1512

For: NEUROTROPHIC FACTOR RECEPTOR

J&J PAT. DEPT. SECTION

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

This decision is in response to applicant's "Petition For Revival of patent Application Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 29 March 2002. Applicant included authorization to charge the \$1300.00 petition fee to Deposit Account No.: 10-0750.

BACKGROUND

On 26 March 2000, applicant filed international application PCT/EP00/04918, which claimed priority of an earlier application filed 29 June 1999. A Demand for international preliminary examination, in which the United States was elected was filed prior to the expiration of nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 29 December 2001.

On 19 December 2001, applicant filed the present ^{application} petition accompanied by a check in the amount of \$1280.00; a transmittal letter for entering the U.S. national stage under 35 U.S.C. 371; payment of the U.S. basic national fee; a First preliminary amendment; a copy of the published international application; an executed oath or declaration of the inventors; an assignment document for recording; a sequence disk and a sequence listing.

On 06 March 2002, applicant was mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371" (Form PCT/DO/EO/905) informing applicant of the need to provide a nucleotide and/or amino acid sequence disclosure in compliance with 37 CFR 1.821-1.825. Applicant was afforded two months to file the response.

On 17 April 2002, applicant responded with an amendment to the specification; applicant did not include a computer readable diskette version of the sequence listing.

On 28 June 2002, applicant was mailed a "NOTIFICATION OF DEFECTIVE RESPONSE" (Form PCT/DO/EO/916) informing applicant that the sequence listing filed 17 April 2002 did not comply 37 CFR 1.821-1.825 and thus was not a proper response.

DATE: 5/15/03
SIGNED: CEIL SURMAN

Application No.: 10/019,337

PCT/DO/EO/905 mailed 06 March 2002. Applicant was afforded one month from the mailing of the Form PCT/DO/EO/916 or within the time remaining in the response set forth in the Form PCT/DO/EO/905, whichever was longer.

On 30 December 2002, applicant filed a petition for an extension of time and response to the notice of a defective response.

On 15 January 2003, applicant was mailed a communication and notice of abandonment informing applicant that the above-identified application was abandoned on 06 October 2002 for failure to respond to the Form PCT/DO/EO/916 within the time period prescribed therein and advised to file a petition for revival.

On 21 January 2003, applicant was mailed a "Notification of Abandonment" (Form PCT/DO/EO/909).

On 06 February 2003, applicant filed the present petition to revive pursuant to 37 CFR 1.137(b).

DISCUSSION

A petition under 37 CFR 1.137(b) requesting that the application be revived on the grounds of unintentional abandonment must be accompanied by (1) the required reply, (2) the petition fee required by law, (3) a statement that the, "entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional" and (4) any terminal disclaimer and fee pursuant to 37 CFR 1.137(c) (where required).

With regard to Item (2), applicant included authorization to charge the \$1300.00 petition fee to Deposit Account No.: 10-0750.

As to Item (3), applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" satisfies Item (3).

With regard to Item (4), the terminal disclaimer is not required since this application was filed after 08 June 1995.

Thus, applicant has satisfied Items (2) - (4) above.

However, with regard to Item (1), the proper response was the required sequence listing pursuant to 37 CFR 1.821-1.825. The computer readable form accompanying the present petition was not readable. (See attached copy of CRF Problem Report.) Accordingly, the proper reply has not been furnished.

For the reasons stated above, the petition for revival cannot be granted at this time and the application remains abandoned.

CONCLUSION

For the reasons stated above, applicant's petition under 37 CFR 1.137(b) is **DISMISSED**.

If reconsideration on the merits of this petition is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.137(b)." No additional petition fee is required.

Please direct further correspondence with respect to this matter to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (703) 305-0130
Fax: (703) 308-6459